

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

October 20, 2004

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened at 9:00 a.m., October 20, 2004, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Andy Kunasek, Chairman, District 3; Don Stapley, District 2 and Max W. Wilson, District 4. Absent: Fulton Brock, District 1, and Mary Rose Wilcox, District 5. Also present, Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

PERSONNEL AGENDA

Motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (3-0-2) to approve Flood Control District Personnel Agenda (Exhibit C). Exhibit C. will be found at the end of this set of minutes.

ADJUSTMENT TO FY 2004-05 FLOOD CONTROL DISTRICT OF MARICOPA COUNTY BUDGET

Motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (3-0-2) to approve an adjustment to the FY 2004-05 Flood Control District of Maricopa County (District) budget by reducing the Transfer Out from the Operating Fund (991) to the CIP Fund (990) by \$1,395,857. This action will require an appropriation adjustment reducing the Flood Control Capital Projects Fund (Fund 990) revenue appropriation by \$1,395,857, and increasing the Eliminations Fund (Department 690, Fund 900) revenue and expenditure appropriations by \$1,395,857, for a net increase to the District's expenditure budget of \$1,395,857. This action will allocate funding for a radio system and heavy equipment by using undesignated fund balance available for one-time expenditures. (C6905022M) (ADM1900-003) (ADM1917)

CONTRACT WITH ECOPLAN ASSOCIATES, INC.

Motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (3-0-2) to award Contract FCD 2004C030, On-Call Archeological and Environmental Services to EcoPlan Associates, Inc. The Contract will be effective for two (2) years from the date of execution or until the contract expenditure of \$150,000.00, whichever occurs first. The Flood Control District of Maricopa County (District) and EcoPlan Associates will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. This negotiated fee will be in accordance with the rates included as Exhibit B to the contract. (C69050295)

INVITATION FOR BIDS FOR MCMICKEN DAM FISSURE RISK ZONE REMEDIATION

Item: Authorize the Flood Control District of Maricopa County (District) to issue an Invitation for Bids for Contract FCD 2004C010, McMicken Dam Fissure Risk Zone Remediation (PCN 202.01.31), and award the contract to the lowest responsible bidder if the bid is not more than ten percent (10%) over the engineer's estimate. (C69050335)

Mike Ellegood, Director of Public Works, said that the remediation studies from the McMicken Dam is the result of a three-year engineering study to determine the most cost-effective way of providing interim repairs to that dam, which he said was an important structure to provide protection to the Northwest Valley.

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Director Wilson recognized the unique plan the District devised to alleviate danger from the fissure in the dam that saves a lot of taxpayer money, saying that it was an outstanding job. Mr. Ellegood replied that Tim Phillips and Tom Ranckley deserve a great deal of the credit as both are very dedicated and talented individuals who worked long hours to find the best solution.

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (3-0-2) to authorize this invitation for bids and contract award.

RESOLUTION – CITY OF PHOENIX DAM SAFETY PROGRAM PLANNING

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (3-0-2) to adopt Resolution FCD 2004R008, City of Phoenix Dam Safety Program Planning. The Resolution authorizes and directs the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to negotiate and prepare Intergovernmental Agreements (IGAs) with the City of Phoenix (City), as appropriate, for cost sharing of; engineering assessments, inventory identification, Emergency Action Plan development, and to provide technical guidance and recommendations in the development of a City of Phoenix Dam Safety Program. (C69050466) (ADM1900)

RESOLUTION
FCD 2004R008

CITY OF PHOENIX DAM SAFETY PROGRAM PLANNING

WHEREAS, Arizona Revised Statutes Title 48, Chapter 21 allows the Flood Control District of Maricopa County (District) to cooperate and enter into appropriate agreements with political or municipal subdivisions with respect to flood control projects, and

WHEREAS, the City of Phoenix (City) owns and operates four (4) flood control dams that are of sufficient height and storage capacity to be classified as jurisdictional by the Arizona Department of Water Resources (ADWR), and

WHEREAS, the jurisdictional dams are named Phoenix Detention Basin No. 7, North Mountain Flood Detention No. 3, West Park Dam, and East Park Dam, and

WHEREAS, Intergovernmental Agreement No. 82003 dated June 28, 1982, between the City and the District, authorized the District's funding participation of up to \$1.9 million to help fund the construction of seven (7) flood control projects, including Phoenix Detention Basin No. 7 and North Mountain Flood Detention No. 3, and

WHEREAS, the 1994 Arizona Canal Diversion Channel Area Drainage Master Study Phase I, 10th Street Wash to Cave Creek Watershed, incorporated and identified the West Park and East Park Dams as viable flood control structures, and

WHEREAS, the 1995 Arizona Canal Diversion Channel Area Drainage Master Study Phase I, of 10th Street Wash Stormwater Drainage Plan, incorporated and identified North Mountain Flood Detention No. 3 as a viable flood control structure, and

WHEREAS, records indicate that there may be additional dam structures that are owned by the City that are too small to be currently classified jurisdictional size by ADWR, and

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WHEREAS, ADWR has identified several safety deficiencies at the four (4) jurisdictional dams that require correction, and

WHEREAS, the City has requested financial and planning assistance from the District to perform assessments of the dams and to assist in the development of a City of Phoenix Dam Safety Program, and

WHEREAS, the District's Structures Management Branch of the Planning and Project Management Division has professional dam safety staff and resources that may be able available to assist the City of Phoenix in identifying and addressing their dam safety issues, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the District authorizes and directs the Chief Engineer and General Manager of the District to negotiate and prepare Intergovernmental Agreements (IGAs) with the City, as appropriate, for cost-sharing of; engineering assessments, inventory identification, Emergency Action Plan development, and to provide technical guidance and recommendations for the development of a City of Phoenix Dam Safety Program, subject to the ratification and approval of the Board.

DATED this 20th day of October 2004.

/s/ Andrew Kunasek, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

CONTRACT FOR BUCKEYE FLOOD RETARDING STRUCTURE NO. 1 REHABILITATION

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (3-0-2) to award Contract FCD 2004C018, Buckeye Flood Retarding Structure No. 1 Rehabilitation, to AMEC Earth & Environmental, Inc., (Consultant). The contract will be effective for a period of seven hundred thirty (730) calendar days from date of execution or until the contract expenditure of \$1,250,000.00, whichever occurs first. The Flood Control District of Maricopa County (District) and the Consultant will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated for each work assignment prior to notice to proceed with each assignment. This negotiated fee will be in accordance with the rates included as Exhibit B to the contract. (C69050545)

AMENDMENTS TO THE FY 2004-05 BUDGET

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (3-0-2) to approve the following amendments to the FY 2004-05 budget and Year 1 of the FY 2004-05 Flood Control District Capital Projects plan, Fund 990:

- a) Establish, as required, new projects in the District's FY 2005 CIP Budget for the Floodprone Properties Acquisition Program.
- b) Increase the FY 2004-05 Year 1 expenditure appropriations for the Flood Control District Capital Project Fund 990, Floodprone Properties Acquisition Program projects by \$2,500,000.

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OMB's forecast of the Flood Control District of Maricopa County (District) revenues and expenditures indicates that funding this new program will not hinder the completion of other planned projects previously approved by the Board of Directors of the District (BOD). (C6905056M)

ADJUSTMENTS TO FY 2005 CAPITAL IMPROVEMENTS PROGRAM BUDGET

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (3-0-2) to approve a budget adjustment to the Flood Control District Of Maricopa County (District) Operating budget Fund 991 by reducing Transfers Out to the District's CIP Fund 990 by \$2,153,000. This action will require an appropriation adjustment reducing the Flood Control Capital Projects Fund (Fund 991) revenue appropriation by \$2,153,000, and increasing the Eliminations Fund (Department 690, Fund 900) revenue and expenditure appropriations by \$2,153,000, for a net increase to the District's expenditure budget of \$2,153,000. This action will allow the District to fund enhanced services to the following activities: (C6905058M)

- a) Floodplain Delineation Activity - \$215,000;
- b) Flood Hazard Planning Activity - \$1,500,000;
- c) Flood Hazard Education and Mass Media Activity - \$438,000.

BUDGET ADJUSTMENT TO FY 2005 CAPITAL IMPROVEMENTS PROGRAM FOR THE DISTRICT

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (3-0-2) to approve adjustments to the current FY 2005 Capital Improvements Program (CIP) budget of the Flood Control District of Maricopa County (District) that are the result of changes in operational circumstances that have developed since the start of Fiscal Year 2005. A list of the major changes is as follows: Adjustments to design and construction schedules that are the result of longer than anticipated partnership cost sharing negotiations, The receipt of favorable construction and landscaping bids, and The initiation and schedule acceleration of the Flood Prone Properties Acquisition Program. While the above listed developments have resulted in a requested redistribution of budgeted funds, they have not caused the District to abandon its intentions to complete all projects previously approved by the Board of Directors of the District (BOD). The financial circumstances leading to this request have resulted in the District's ability to fund other meritorious current and future projects; including the Flood Prone Properties Acquisition Program. Approval of this request by the BOD will result in a budget adjustment affecting both the current and future years covered by the District's approved 5 year CIP. Future Fiscal Year adjustments will be provided for during the yearly budgeting cycle. Current FY 2005 total approved funding for the CIP remains unchanged by BOD approval of this request. (Addendum item A-1) (C6905057M) (ADM1900-003)

INVITATION AND AWARD OF BIDS

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (3-0-2) to authorize the Flood Control District of Maricopa County (District) to issue an Invitation for Bids for Contract FCD 2003C025, Rittenhouse Detention Basin – Phase 1 – Side Weir, Outlet and North Basin Area (#121) (PCN 121.03.32), and to award the contract to the lowest responsible bidder if the bid is not more than ten percent (10%) over the engineer's estimate contingent on the transfer of funds into the correct account. This action is contingent upon moving funds into the proper accounting string. (Addendum item A-2) (C69050455)

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MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board